

EPA's Talking Points for Roxul's Meeting on August, 8 2018

- EPA, as well as the public, have an opportunity to review a draft reconstruction permit, and provide written comment. EPA's role is to review and comment on the preconstruction permit to ensure it meets the federal and state requirements.
- On March 27, 2018, West Virginia Department of Environmental protection (WVDEP) published for public and EPA review and comment, a proposed preconstruction permit for a new source of industrial insulation in Ranson, West Virginia.
- The public comment period was from March 27, 2018 to April 27, 2018.
- On April 24, 2018, during the public comment period, EPA Region 3, Air Protection Division provided comments to WVDEP, related to the project's emission control levels and air emissions dispersion modeling.
- On April 30, 2018, before issuing the final permit to construct the new facility, WVDEP addressed EPA's comments to the Agency's satisfaction.
- For Roxul's preconstruction permit, EPA concludes the project meets federal and state requirements.
- After the project is constructed, Roxul will be required to have a Clean Air Act Title V operating permit which WVDEP will have to publish for public review and comment. When that permit is out for public review and comment, the public, as well as EPA, will again have an opportunity to provide comments.

Other more detailed talking points:

- WVDEP has a fully EPA-approved preconstruction permitting program that is part of its EPA-approved New Source Review State Implementation Plan (NSR SIP). Therefore, WVDEP is the permitting authority for Roxul's permit and has primacy as a regulator.
- Roxul's plant is in a part of West Virginia which is meeting all the national ambient air quality standards (NAAQS) and therefore the new plant is subject to the Clean Air Act Prevention of Significant Deterioration (PSD) requirements of the NSR SIP.
- The PSD requirements include installing Best Available Control Technology (BACT) level controls and conducting pollutant air dispersion modeling that shows the new source will not violate any NAAQS because the permit will require adequate controls, monitoring, testing, reporting, and recordkeeping.

Deliberative Process / Ex. 5

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EPA's Comments and WVDEP's Responses on Roxul's Proposed PSD Permit

- 1) **Phased permitting:** Roxul has proposed to construct an Oxygen Plant on site at a later date in order to supplement combustion air in the furnace with pure oxygen. Using oxygen will lead to a higher temperature flame and possibly more thermal NO_x, or increased production. WVDAQ should either include increased emissions of NO_x and other pollutants in the current permit, or provide more information in the Final Determination that shows that this approach of project staging will not lead to phased permitting and circumvention of PSD requirements.

WVDAQ Response: The response cites the applicant's statement in the application that the oxygen will be provided during the first phase of the project via trucks and then they will continue to have oxygen from the new oxygen plant. DAQ asserts that there will not be any difference in flame temperature and NO_x emissions between trucked oxygen and oxygen produced on site. EPA concurs.

- 2) **BACT limit for NO_x, CO, and SO₂:** The proposed permit sets BACT limits for Melting Furnace on a 30-day rolling average basis. Since this is a batch operation, the BACT limits should be based on the operational time of the furnace batches. The 30-day rolling average is the longest period of time acceptable for a limit to be federally enforceable per EPA guidance. WVDAQ should provide reasons for setting the BACT limit on a 30-day rolling average basis.

WVDAQ Response: Because Roxul Melting Furnace is required to have CEMS for NO_x, CO, and SO₂, DAQ notes that it will know if the real-time emissions data indicate that modeling and permitted 30-day limits are not the conservative representation of anticipated actual variability in emissions. If that happens, DAQ will reopen the permit and reconsider a different emission averaging period. DAQ additionally notes that the EPA finds 30-day rolling average as basis for SO₂ modeling to be acceptable and similar to other recent permit actions and SIP approvals; DAQ thinks it is similarly suitable for NO_x as well.

- 3) **DAQ should include full BACT analysis in its permit Fact Sheet:** Instead of referencing to the applicant's BACT analysis in the facility's application, the federal PSD rules require the permitting authority to do its own analysis and provide it in the permit Fact Sheet.

WVDAQ Response: Since this was a large project and WVDAQ agreed with the applicant's analysis, they thought it not worth to regurgitate the language from the application. Instead, WVDAQ provided a summary table. The application is available online on WVDEP web site for full public review, unlike in some other jurisdictions.

- 4) **Portable Crusher BACT limit:** DAQ is using an hours of operation limit on the portable crusher to limit the emissions and claiming this as BACT. BACT is a technology based limit and should not rely on only hours of operation.

WVDQ Response: While WVDAQ does not fully agree with EPA's view on BACT limits, it has agreed to update the Fact Sheet and state clearly that the hours of operation limit on the Portable Crusher is not a BACT limit.